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USAO#:2006V00909

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

05 CR 0924 (S-1) (ADS)

WILLIAM LOUIS FEHR, SR.

Defendant.

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FINAL ORDER OF FORFEITURE

WHEREAS, on January 8, 2007, this Court entered a Preliminary Order of Forfeiture (the "Preliminary Order"), as to the defendants JAMES KENNETH HANEY, SUFFOLK ASPHALT SUPPLY, INC., WILLIAM LOUIS FEHR, JR., ALL-COUNTY PAVING CORP., PRIMA ASPHALT CONCRETE, INC., WILLIAM LOUIS FEHR, SR., PAV-CO ASPHALT, INC., FRANK GERALD SCHAMBRA, and SUNDIAL ASPHALT CO., INC. (collectively referred to herein as the "Defendants"), pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), forfeiting the sum of two million three hundred thousand dollars and no cents (\$2,300,000.00) (the "Forfeiture Money Judgment"), pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982, 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c); and

WHEREAS, in satisfaction of the Forfeiture Money Judgment, as of April 7, 2008, the defendants have paid

to the United States Marshals Service the sum of two million three hundred and fifty seven thousand six hundred and ninety seven dollars and thirty cents (\$2,357,697.30), which included principal and interest due under the Preliminary Order of Forfeiture (collectively referred to herein as the "Forfeited Funds"); and

WHEREAS, the Court finds that the defendants had an interest in the Forfeited Funds which are forfeited to the United States pursuant to §§ 981(a)(1)(C) and 982, 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c); and

WHEREAS, sentencing of the defendant WILLIAM LOUIS FEHR, SR., took place on May 30, 2008, and the Preliminary Order of Forfeiture was made part of the sentence and, at that time, included in the defendant WILLIAM LOUIS FEHR, SR., judgment of conviction.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, on consent of all parties, that all right, title and interest in the Forfeited Funds, plus all interest accrued thereon, is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the United States Marshals Service and all of its duly authorized agents and/or contractors are hereby authorized and directed to dispose of the Forfeited Funds in accordance with all laws and regulations; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the United States District Court for the Eastern District of New York shall retain jurisdiction in the case for the purpose of enforcing this Final Order of Forfeiture; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Clerk of the Court shall forward five certified copies of this Final Order to the United States Attorney's Office, 610 Federal Plaza, Central Islip, New York, Attn: FSA Asset Forfeiture Paralegal Brian Gappa.

Dated: Central Islip, New York
May 30, 2008

HONORABLE ARTHUR D. SPATT
UNITED STATES DISTRICT JUDGE